AMENDMENTS TO THE CLAIMS

This listing of claims replaces all prior versions, and listings, of claims in the application:

1-9. (canceled)

10. (Currently amended) A bird deterrent for mounting on a surface, comprising:

an elongated rail of plastic; ~~and~~

a plurality of pairs of laterally extending prongs; and

upwardly extending intermediate prongs disposed between the pairs of laterally extending prongs;

wherein the rail, the pairs of laterally extending prongs and the intermediate prongs are all ~~which is~~ injection molded as a single continuous piece ; ~~;~~

~~wherein the prongs have a cross-shaped cross section perpendicular to a longitudinal axis of the prongs; and~~

~~wherein the laterally extending prongs alternating at various angles relative to a underlying surface~~.

11. (currently amended) The bird deterrent of claim 10, wherein first and second members of each of the plurality of pairs of laterally extending prongs extend at higher and lower angles, respectively, relative to the rail. ~~at least some of the alternating prongs are paired at spaced positions along the rail, wherein one member of each pair extends from one side of the rail at a lower angle with respect to one of the spaced positions at one of the greater angles, and the other member of each pair extends at substantially the same position along the rail from an opposite other side of the rail at one of the lesser angles.~~

12. (currently amended) The bird deterrent of claim 11, wherein each of the higher and lower angles differ from an angle defined by the intermediate prongs relative to the rail. ~~the pairs of alternating prongs are repetitively spaced from one another at regular intervals.~~

13. (currently amended) The bird deterrent of claim 10, wherein some of the laterally extending prongs extend laterally ~~from the rail~~ at about 30 degrees relative to the rail. ~~underlying surface.~~

14. (currently amended) The bird deterrent of claim 10, wherein some of the laterally extending prongs extend laterally from the rail at about 70 degrees relative to the underlying surface.

15. (currently amended) The bird deterrent of claim 11 ~~10~~, wherein the higher and lower angles of the ~~adjacent~~ laterally extending prongs differ by about 40 degrees.

16. (original) The bird deterrent of claim 10, further comprising a plurality of spaced flanges extending horizontally from the rail.

17. (original) The bird deterrent of claim 10, further comprising a plurality of spaced flanges extending from the rail, each flange continuous with one of the plurality of prongs.

18. (currently amended) The bird deterrent of claim 10, wherein first and second members of each of the plurality of pairs of laterally extending prongs extend indirectly from the rail, via laterally projecting arms. ~~further comprising a plurality of spaced flanges, that alternately extend from left and right sides of the rail~~.

19. (canceled)

20. (currently amended) The bird deterrent of claim 10, wherein first and second members of each of the plurality of pairs of laterally extending prongs include at least some portion having a round cross-sectional area ~~each of the plurality of prongs has a round cross-section.~~

21. (currently amended) The bird deterrent of claim 10, wherein first and second members of each of the plurality of pairs of laterally extending prongs include at least some portion having a cross-shaped cross-section ~~each of the plurality of prongs further comprising a round cross-section~~.

22. (currently amended) The bird deterrent of claim 10, wherein each of the laterally extending ~~plurality of~~ prongs terminates in a sharp tip

23. (original) The bird deterrent of claim 10, wherein the rail has a flat bottom surface.

24. (currently amended) The bird deterrent of claim 10, wherein the rail has a flat bottom surface and ~~of the rail has~~ a longitudinal trough.

25. (currently amended) The bird deterrent of claim 10, further comprising a ridge along the rail ~~its upper surface~~.

26. (currently amended) The bird deterrent of claim 10, wherein the upwardly extending intermediate prongs include a first portion having a round cross-sectional area and a second portion having a round cross-sectional area. ~~injection molding further provides a plurality of prongs that extend superiorly~~ from the rail.

27. (currently amended) The bird deterrent of claim 10, wherein the laterally and upwardly extending prongs appear as five fanned projections from an end view of the deterrent ~~superiorly extending prongs alternate with pairs of the laterally extending prongs~~.

28. (currently amended) The bird deterrent of claim 10, wherein the upwardly ~~superiorly~~ extending prongs extend normally from the rail.

29. (currently amended) The bird deterrent of claim 10, wherein the upwardly ~~superiorly~~ prongs extend normally from a ridge running along an upper surface of the rail.

30. (original) The bird deterrent of claim 10, wherein the rail includes a plurality of spaced cutting notches.

31. (currently amended) A bird deterrent comprising:

a single injection molded piece having an elongated base; and

pluralities of laterally and upwardly extending prongs that collectively project in five different directions from the base.

~~a plurality of laterally extending prongs, and a plurality of superiorly extending prongs;~~

~~wherein the plurality of laterally extending prongs alternate between relatively higher and lower angles, and~~

~~are arranged in pairs so that each of the higher angled prongs is opposite one of the lower angled prongs, and~~

~~wherein the plurality of superiorly extending prongs alternate with the pairs of laterally extending prongs along the rail; and~~

~~wherein the prongs have a cross shaped cross section perpendicular to a longitudinal axis of the prongs.~~

32. (currently amended) The bird deterrent of claim 31, wherein the plurality of laterally extending prongs are arranged in pairs, with each pair having a first prong extending from a first side of the base at a lower angle, and a second prong extending from an opposite side of the base at a higher angle. ~~rail has a top surface that includes a support for the superiorly extending prongs, and side surfaces from which extend supports for the laterally extending flanges.~~

33. (currently amended) The bird deterrent of claim 31, wherein the prongs extending laterally from a first side of the base extend alternately at a lower angle and a higher angle. ~~the rail has a bottom surface that includes an elongated trough and a plurality of spaced cutting notches.~~

34. (currently amended) The bird deterrent of claim 31, wherein each of the plurality of prongs further comprises a portion having a round cross-section~~, and terminates in a sharp tip~~.

35. (new) A bird deterrent for mounting on a surface, comprising: an elongated rail and a plurality of laterally extending prongs which is injection molded as a single continuous piece, said laterally extending prongs alternating at various angles of no more than 70 degrees relative to the underlying surface.